

## STATE OF SOUTH CAROLINA

## (Caption of Case)

Application of Duke Energy Progress, Incorporated  
for Approval of Costs and Incentives for Demand-  
Side Management and Energy Efficiency Programs,  
Rider DSM/EE-6

BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

## COVER SHEET

## DOCKET

NUMBER: 2014 - 89 - E

(Please type or print)

Submitted by: Stephanie U. RobertsSC Bar Number: 80073Address: 110 Oakwood Drive, Suite 500Telephone: 336.725.4710Winston-Salem, NC 27103Fax: 336.725.4476

Other: \_\_\_\_\_

Email: sroberts@spilmanlaw.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

## DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition ☐ Request for item to be placed on Commission's Agenda expeditiously

☐ Other: \_\_\_\_\_

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)			
<input checked="" type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input type="checkbox"/> Letter	<input type="checkbox"/> Request	
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification	
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation	
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement	
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment	
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter	
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response	
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery	
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input checked="" type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition	
<input type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation	
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena	
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff	
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input checked="" type="checkbox"/> Other: Letter and COS	
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest		
<input type="checkbox"/> Other:	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit		
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report		



SPILMAN THOMAS & BATTLE, PLLC  
ATTORNEYS AT LAW

Stephanie U. Roberts  
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\*Licensed in NC, SC and FL

April 1, 2014

Via SCPSC E-FILING DMS

The Honorable Jocelyn G. Boyd  
Chief Clerk/Administrator  
Public Service Commission of South Carolina  
101 Executive Center Drive  
Columbia, SC 29210

**Re: Application of Duke Energy Progress, Incorporated for Approval of Costs and Incentives for Demand-Side Management and Energy Efficiency Programs, Rider DSM/EE-6**

**Docket No. 2014-89-E**

Dear Ms. Boyd:

Please find attached for electronic filing with the South Carolina Public Service Commission ("Commission") a copy of the Petition to Intervene on behalf of Wal-Mart Stores East, LP, and Sam's East, Inc. (together, "Walmart"), in the above-referenced matter. By copy of this letter, I am serving all parties of record via Electronic Mail and First Class Mail.

Please contact us if you have any questions concerning this filing.

Sincerely,

SPILMAN THOMAS & BATTLE, PLLC

By

Stephanie U. Roberts  
(SC Bar No. 80073)

Derrick Price Williamson  
Spilman Thomas & Battle, PLLC  
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Counsel to Wal-Mart Stores East, LP, and Sam's East, Inc.

SUR/lhi  
Attachments  
c: Certificate of Service

STATE OF SOUTH CAROLINA  
BEFORE THE PUBLIC SERVICE COMMISSION  
DOCKET NO. 2014-89-E

In re:	)	
	)	
Application of Duke Energy Progress,	)	<b>PETITION TO INTERVENE OF</b>
Incorporated for Approval of Costs and	)	<b>WAL-MART STORES EAST, LP</b>
Incentives for Demand-Side Management and	)	<b>AND SAM'S EAST, INC.</b>
Energy Efficiency Programs, Rider DSM/EE-6	)	

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**PETITION TO INTERVENE OF  
WAL-MART STORES EAST, LP AND SAM'S EAST, INC.**

Pursuant to Rule 103-825 of the rules and regulations of the South Carolina Public Service Commission ("Commission"), Wal-Mart Stores East, LP and Sam's East, Inc. (collectively, "Walmart"), by its attorneys, respectfully requests that the Commission permit it to intervene and become a party in the above-captioned matter. In support of its Petition to Intervene, Walmart submits as follows:

1. On March 3, 2014, Duke Energy Progress, Inc. ("DEP") filed part of its Application for approval of Rider DSM/EE-6 ("Application") with the Commission. DEP made an additional filing in support of its Application on March 7, 2014. The Application was filed pursuant to S.C. Code Ann. Sections 58-37-20 (Supp. 2013), 10 S.C. Code Ann. Regs. 103-819 and 103-823; and Commission Order No. 2009-373, Docket No. 2008-251-E.
2. On March 11, 2014, the Clerk's Office issued a Notice of Filing establishing an intervention deadline of April 1, 2014.

3. Walmart is a global retailer of goods and services with its principal energy management office for the United States located at 2001 SE 10<sup>th</sup> Street, Bentonville AR 72716-0550.

4. Walmart has the privilege of providing its retail services in the State of South Carolina. Walmart is a large commercial customer of DEP and has approximately 15 facilities in South Carolina that are served by DEP, which include Walmart Supercenters, Sam's Clubs, and gas stations. Walmart purchases more than 30 million kWh annually from DEP. Electricity is one of the largest operating costs faced by Walmart. As a result, any modification to DEP electric rates and terms of service has the potential to substantially impact Walmart's operations in South Carolina. Further, Walmart is dedicated to its own investment in DSM and EE and therefore is very interested in participation in this case. As such, Walmart has a direct and substantial interest in the outcome of this proceeding, in addition to Walmart's unique status as a large commercial customer that purchases substantial amounts of electric and related services from DEP pursuant to multiple accounts at multiple locations. Thus, Walmart has an interest in this proceeding that is not represented by any other party.

5. The attorneys representing Walmart in this proceeding are:

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Ms. Roberts is authorized to accept service of papers in this proceeding on behalf of Walmart. Walmart also respectfully requests that Mr. Williamson be added jointly to the service list. Walmart may cause to be filed a motion for Mr. Williamson to be admitted *pro hac vice* before

this Commission, and subsequent to any Commission grant of such request, Walmart requests that Mr. Williamson be added to the official service list as attorneys authorized to accept service of papers in this proceeding.

**WHEREFORE**, Walmart respectfully requests that it be granted leave to intervene and be made a party to the above-captioned proceeding.

Respectfully submitted,

SPILMAN THOMAS & BATTLE, PLLC

By Stephanie U Roberts

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Counsel to Wal-Mart Stores East, LP and Sam's East, Inc.

Dated: April 1, 2014

STATE OF SOUTH CAROLINA  
BEFORE THE PUBLIC SERVICE COMMISSION  
DOCKET NO. 2014-89-E

In re:	)	
	)	
Application of Duke Energy Progress,	)	<b>CERTIFICATE OF SERVICE</b>
Incorporated for Approval of Costs and	)	
Incentives for Demand-Side Management and	)	
Energy Efficiency Programs, Rider DSM/EE-6	)	

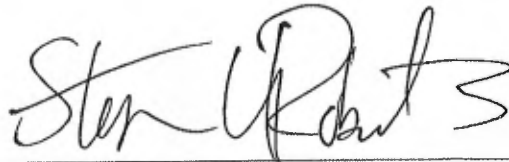
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I hereby certify that I have this day served one (1) copy of the foregoing document upon the following parties to this proceeding via Electronic Mail and First Class Mail:

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Stephanie U. Roberts (SC Bar No. 80073)

Dated: April 1, 2014